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The Court will grant a two week extension, until **June 14, 2024**. No further extensions will be granted. The parties should file their dispositive motions no later than **July 8, 2024**. Additionally, Plaintiff's motion for leave to amend is DENIED as moot based on Plaintiff's letter at Dkt. 28.

The Clerk of Court is directed to terminate the motion at Dkts. 23 and 27.

SO ORDERED.

  
Arun Subramanian, U.S.D.J.  
Date: June 3, 2024

May 31, 2024

**VIA ECF**

The Honorable Arun Subramanian U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Sultan v. Plume Inc. et al.*  
Case No.: 1:23-cv-08830-AS

Dear Judge Subramanian,

We represent Defendants in this case. We write concerning the Court's Order, dated May 9, 2024 (ECF No. 21), specifically the Court's "grant[ing of] a short extension of time to complete discovery until May 31, 2024" and directing that dispositive motions will be due on or before June 15, 2024. We also write concerning the Court's Order, dated May 29, 2024 (ECF No. 24), addressing Plaintiff's letter motion for leave to file a second amended complaint and setting a briefing schedule for the parties to conclude by June 11, 2024.

Given, *inter alia*, the briefing schedule the Court has set for Plaintiff's letter motion for leave to file a second amended complaint, which letter motion was filed on May 28, 2024, Defendants respectfully request that the deadline to complete discovery be extended, at least until a determination is made on the motion to amend the complaint. Absent that requested relief, discovery will have closed while the operative pleading remains at issue. Further, Defendants respectfully request that the deadline for dispositive motions be similarly extended. Similarly, absent this requested relief, the parties would have to turn to dispositive motions, again while the operative pleading might still be at issue. Without so revising these deadlines and if Plaintiff were granted leave to further amend his complaint, dispositive motions on Plaintiff's resulting second amended complaint would be due before Defendants' answer to it.

Further supporting these instant requests is the fact that Plaintiff served second requests for admission upon Defendants on May 28, 2024. Earlier today, Defendants supplemented their document production in response to Plaintiff's existing requests. Defendants served requests for production upon Plaintiff based upon his testimony at his deposition on May 21, 2024. Defendants also served notices of deposition upon two non-party witnesses for June 7, 2024 and June 14, 2024 respectively. Plaintiff had originally sought to depose one of these non-party witnesses but ultimately withdrew that request. As a result, however, of the testimony elicited during the depositions of the parties, which were conducted on May 13, 15, 21, and 28, Defendants have concluded that these two non-party witnesses likely have information vital to this case.

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Hon. Arun Subramanian U.S.D.J.  
U.S. District Court, S.D.N.Y.  
May 31, 2024  
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As might be apparent to the Court, given the amount and extent of recent activity in this litigation, counsel have been in almost daily communications, including today. This morning, our office informed Plaintiff's counsel of our intended instant requests and sought their position on them. As of the time of this submission, we have not received a response.

Given these circumstances, which Defendants respectfully submit constitute good cause, Defendants respectfully request that the deadlines for the completion discovery and for dispositive motions be extended until a determination is made on Plaintiff's pending motion for leave to file a second amended complaint. In the alternative, Defendants request a two-week extension of these deadlines.

We greatly appreciate the Court's attention to this matter and consideration of this request to allow the parties to complete discovery under these circumstances.

Respectfully submitted,

GORDON REES  
SCULLY MANSUKHANI, LLP

/s/ David J. Grech  
David J. Grech

*Attorneys for Defendants*

To: All attorneys of record (*via* ECF)